

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
(Boston Division)**

UNITED STATES SECURITIES AND

EXCHANGE COMMISSION,

Plaintiff,

v.

STEVEN E. NOTHERN,

Defendant.

Civil Action No. 05- 10983 (NMG)

**CERTIFICATION OF U.S. SECURITIES AND EXCHANGE COMMISSION
PURUSANT TO LOCAL RULE 16.1(d)(3)**

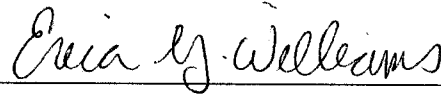
The Plaintiff Securities and Exchange Commission (the "Commission") submits this Certification pursuant to Local Rule 16.1(d)(3). Kenneth R. Lench, the Assistant Director in the Commission's Division of Enforcement assigned to supervise this matter, and undersigned Counsel of Record for the Commission, Erica Y. Williams and John J. Rossetti, Jr., certify that they have conferred in good faith with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of this litigation; and have considered the resolution of litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: October 17, 2005

Respectfully Submitted,



Kenneth R. Lench
Assistant Director
Division of Enforcement
U.S. Securities and Exchange Commission
100 F Street, N.E.
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